



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 10, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

24 July 10, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
BOWL TRAIL NORTH OF SUMMIT TRAIL
IN THE UNINCORPORATED COMMUNITY OF KAGEL CANYON
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate an easement for public road and highway purposes on Bowl Trail north of Summit Trail in the unincorporated community of Kagel Canyon that is no longer needed for public use. The vacation has been requested by the underlying property owners to eliminate encroachment issues and enhance the property.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for public road and highway purposes on Bowl Trail north of Summit Trail in the unincorporated community of Kagel Canyon has been impassable for vehicular travel for five consecutive years and no public money has been expended for maintenance during such period and that it may, therefore, be vacated pursuant to Section 8331(a) and (b) of the California Streets and Highways Code.
3. Find that the easement for public road and highway purposes on Bowl Trail north of Summit Trail in the unincorporated community of Kagel Canyon is excess and not required for street and highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the easement for public road and highway purposes on Bowl Trail north of Summit Trail in the unincorporated community of Kagel Canyon is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for public road and highway purposes on Bowl Trail north of Summit Trail (Easement) in the unincorporated community of Kagel Canyon, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1,573 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8331(a) and (b) provides that the legislative body of a local agency may summarily vacate a street or highway if, for a period of five consecutive years, the street or highway has been impassable for vehicular travel and no public money was expended for maintenance on the street or highway during such period.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

The County's interest in the Easement was acquired in 1924 by dedication in Tract No. 7342, recorded in Book 83, pages 99 and 100, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for public road and highway purposes.

Mo's Property LLC, the underlying property owner, with the approval of all the adjoining property owners, requested the vacation of the Easement to eliminate the encroachment of a portion of a residential structure and to enhance the property. Mr. Kevin Dinsmore, one of the adjoining property owners, has merged his respective lots into a single lot to ensure no single lot is landlocked as a result of the vacation.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement. Your action will result in the property being unencumbered by the Easement and available to the property owners for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

7/10/2012

Page 4

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
BOWL TRAIL NORTH OF SUMMIT TRAIL
IN THE UNINCORPORATED COMMUNITY OF KAGEL CANYON
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for public road and highway purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement on Bowl Trail north of Summit Trail is located in the unincorporated community of Kagel Canyon in the County of Los Angeles, State of California.
2. The Easement has been impassable for vehicular travel for five consecutive years and no money has been expended for maintenance during such period.
3. The Easement has been determined to be excess and not required for public road and highway purposes.
4. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the Streets and Highways Code of the State of California.
5. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8330.
6. The Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
7. From and after the date this resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

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The foregoing resolution was on the 10th day of July, 2012, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By Julia Weissman
Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By [Signature]
Deputy



RH:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER RESOLUTION\BOWL TRAIL RESOLUTION

EXHIBIT A

BOWL TRAIL NORTH OF SUMMIT TRAIL 1-1VAC

A.I.N. 2526-019-Bowl Trail

T.G. 482-J6

I.M. 204-157

R.D. 553

S.D. 5

M1188102

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of Easement)

All that portion of Bowl Trail, 15 feet wide, as shown on map of Tract No. 7342, recorded in Book 83, pages 99 and 100, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying northeasterly of the following described line:


Beginning at the most southerly corner of Lot 134 of said tract; thence easterly in a direct line, to the northerly terminus of that certain course having a length of 40.0 feet in the westerly boundary of Lot 137 of said tract.

Containing: 1,573±square feet



APPROVED AS TO DESCRIPTION

By


LICENSED LAND SURVEYOR
Los Angeles County Department of Public Works

Dated JUNE 5, 2012

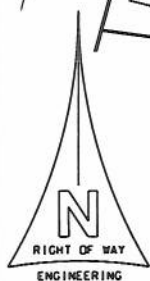
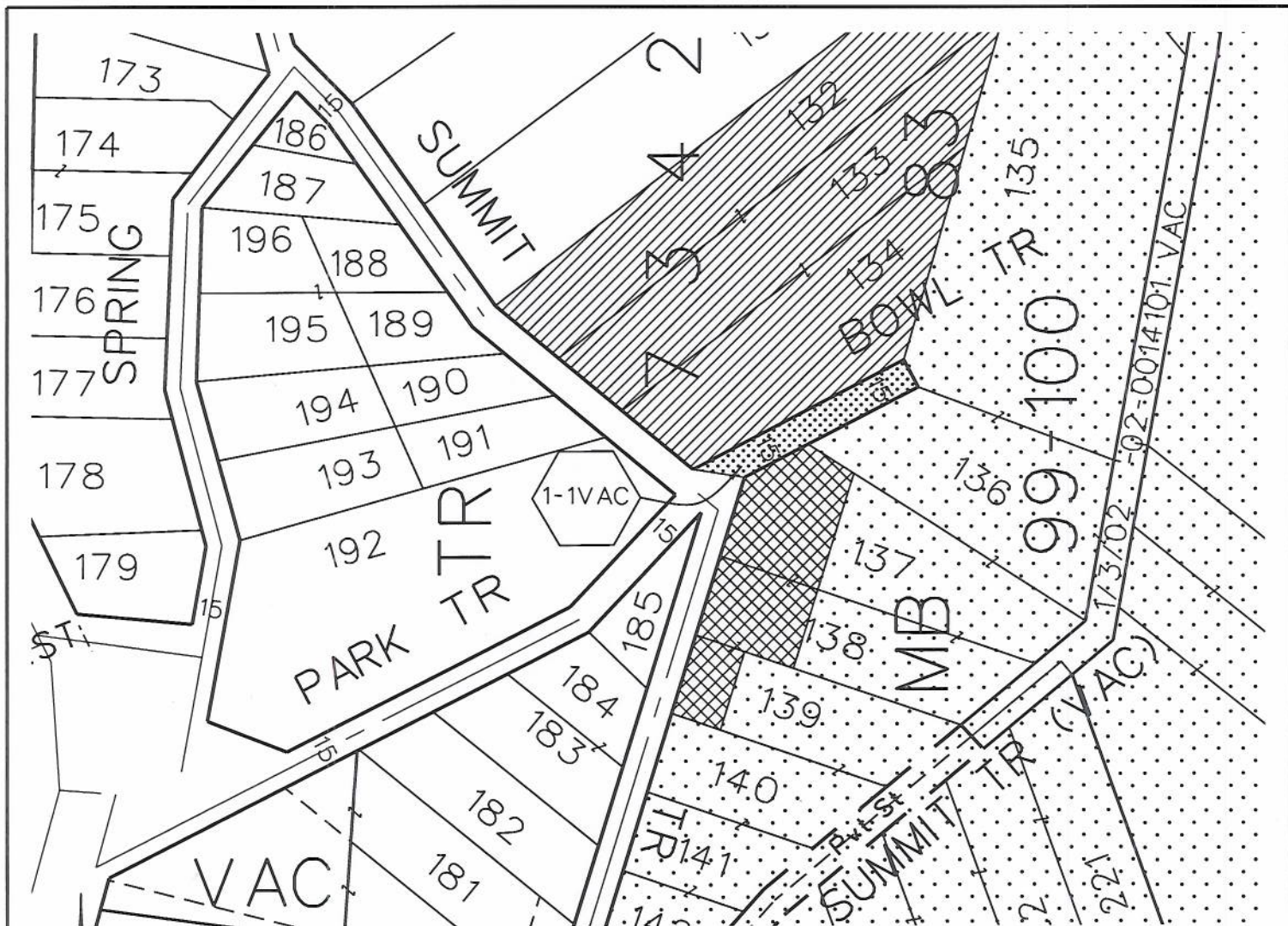

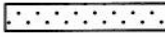




EXHIBIT B

SUBJECT LOCATION

LEGEND

-  Applicant
Mo's Property LLC
-  Property owner
Kevin Dinsmore
-  Property owner
Eleanor Herbert
-  Area to be vacated
Total Area 1,573:s.f.

REVISIONS

1.

2.

3.

DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD.
5

RD.
553

A.I.N.
2526-019-018

T.G.
482-J6

SCALE
NONE

DATE
05-26-12

I.M.
204-157

**BOWL TRAIL
N/O**

SUMMIT TRAIL

DRAWING NO.
M1188102